

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Estate of VALERIE YOUNG by VIOLA YOUNG, :  
as Administratrix of the Estate of :  
Valerie Young, and in her personal : **DECLARATION OF**  
capacity, SIDNEY YOUNG, and LORETTA : **DR. DIANE M. SIXSMITH**  
YOUNG LEE, :

Plaintiffs, : 07-CV-6241  
 : (LAK) (DCF)  
 : ECF Case

-against-

:  
STATE OF NEW YORK OFFICE OF MENTAL :  
RETARDATION AND DEVELOPMENTAL :  
DISABILITIES, PETER USCHAKOW, :  
personally and in his official capacity, :  
JAN WILLIAMSON, personally and in her :  
official capacity, SURESH ARYA, :  
personally and in his official capacity, :  
KATHLEEN FERDINAND, personally and in :  
her official capacity, GLORIA HAYES, :  
personally and in her official capacity, :  
DR. MILOS, personally and in his :  
official capacity, :

Defendants. :

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DIANE M. SIXSMITH, M.D., M.P.H., FACEP, pursuant to 28  
U.S.C. § 1746, declares under penalty of perjury that the  
following is true and correct:

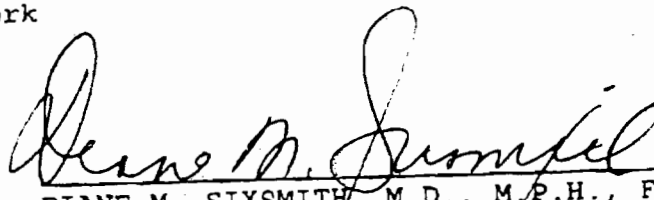
1. I am presently employed by the New York Hospital  
Medical Center of Queens as Chairman of the Department of  
Emergency Medicine. I have been retained by defendants as an  
expert witness in this action to review and evaluate documents in  
order to formulate my opinion on the medical care given to  
decedent Valerie Young.

2. Annexed hereto under Exhibit Tab "A" is a true and correct copy of Defendants' Expert Witness Report of Dr. Diane M. Sixsmith, dated February 26, 2008, which I prepared pursuant to Fed. R. Civ. P. 26(a)(2).

3. Annexed hereto under Exhibit Tab "B" is a true and correct copy of Plaintiffs' Expert Witness Report of Richard P. Bindie, dated April 25, 2008, which was forwarded to me by defendants in order to review and prepare a rebuttal expert witness report.

4. Annexed hereto under Exhibit Tab "C" is a true and correct copy of Defendants' Expert Witness Rebuttal Report of Dr. Diane M. Sixsmith, dated May 8, 2008, which I also prepared pursuant to Fed. R. Civ. P. 26(a)(2).

Dated: Flushing, New York  
July 21, 2008

  
DIANE M. SIXSMITH, M.D., M.P.H., FACEP